

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

**Consent Order of Restitution**

v.

FABIELLA SPINELLI TORRES,  
a/k/a "Fabiella Spinelli,"

S2 22 Cr. 437 (KPF)

Defendant.

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Upon the application of the United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, Emily Deininger, Assistant United States Attorney, of counsel; the presentence investigation report; the defendant's conviction on Count One of the Indictment; and all other proceedings in this case, it is hereby ORDERED that:

**1. Amount of Restitution**

FABIELLA SPINELLI TORRES, the defendant, shall pay restitution in the total amount of \$115,000, pursuant to 18 U.S.C. § 3663A, to the victims of the offense charged in Count One. The names, addresses, and specific amounts owed to each victim are set forth in the Schedule of Victims, attached hereto as Schedule A. Upon advice by the United States Attorney's Office of a change of address of a victim, the Clerk of Court is authorized to send payments to the new address without further order of this Court.

**A. Joint and Several Liability**

Restitution is joint and several with the following defendants in the following case: Esteban Cabrera da Corte, 22 Cr. 437; Luis Hernandez Gonzalez, 22 Cr. 437; and Asdrubal Ramirez Mesa, 22 Cr. 437. The defendant's liability to pay restitution shall continue unabated until either the defendant has paid the full amount of restitution ordered herein, or every victim in Schedule A has

recovered the total amount of each loss from the restitution paid by the defendant and all co-defendants ordered to pay the same victims.

**2. Schedule of Payments**

Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the defendant; and any financial obligations of the defendant; including obligations to dependents, the defendant shall pay restitution in the manner and according to the schedule that follows: In the interest of justice, restitution will be payable in installments pursuant to 18 U.S.C. § 3572(d)(1) and (2). The defendant will commence monthly installment payments of not less than \$100 *OR* at least 10% percent of the defendant's gross income, payable on the 1st of each month, immediately upon entry of this judgment.

While serving the term of imprisonment, the defendant shall make installment payments toward restitution and may do so through the Bureau of Prisons' (BOP) Inmate Financial Responsibility Plan (IFRP). Any unpaid amount remaining upon release from prison will be paid in installments pursuant to the above-provided schedule.

This schedule is without prejudice to the Government taking enforcement actions, pursuant to 18 U.S.C. § 3613, to the extent warranted.

Pursuant to 28 U.S.C. § 2044 and 18 U.S.C. § 3611, the Court shall order any money belonging to and deposited by the defendant with the Clerk of Court for the purposes of a criminal appearance bail bond to be applied to the payment of restitution.

**3. Payment Instructions**

The defendant shall make restitution payments by certified check, money order, or online. Instructions for online criminal debt payments are available on the Clerk of Court's website at

<https://nysd.uscourts.gov/payment-information#PaymentofCriminalDebt>. Checks and money orders shall be made payable to the “SDNY Clerk of Court” and mailed or delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The defendant shall write his/her name and the docket number of this case on each check or money order.

**4. Change in Circumstances**

The defendant shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney’s Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Program) of (1) any change of the defendant’s name, residence, or mailing address or (2) any material change in the defendant’s financial resources that affects the defendant’s ability to pay restitution in accordance with 18 U.S.C. § 3664(k).

**5. Term of Liability**

The defendant’s liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the defendant’s release from imprisonment, as provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the defendant, the defendant’s estate will be held responsible for any unpaid balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.



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**SCHEDULE A**  
**Schedule of Victims**

S1 22 Cr. 437 (KPF)

Name	Address	Amount of Restitution
Coinbase Global, Inc.	Coinbase 248 3 <sup>rd</sup> Street, #434 Oakland, CA 94607	\$75,000.00
Uphold	Uphold HQ, Inc. 228 Park Avenue South #50458 New York, NY 10003	\$40,000.00